

**COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled BONE FIXATION SYSTEM AND METHOD OF IMPLANTATION, the specification of which:

☐ is attached hereto.

☒ was filed on April 15, 2004 as Application Serial No. 10/825,916 and was amended on _____.

☐ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

<u>U.S. Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
<u>60/463,805</u>	<u>April 18, 2003</u>	<u>Expired</u>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>U.S. Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
_____	_____	_____

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

<u>Country</u>	<u>Application No.</u>	<u>Filing Date</u>	<u>Priority Claimed</u>
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

Combined Declaration and Power of Attorney

Page 2 of 2 Pages

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

John C. Phillips, Reg. No. 35,322
David L. Feigenbaum, Reg. No. 30,378
Hans R. Troesch, Reg. No. 36,950
Bing Ai, Reg. No. 43,312
Frederick H. Rabin, Reg. No. 24,488
Scott C. Harris, Reg. No. 32,030
Andrew Watson, Reg. No. 46,371
Joseph R. Baker, Jr., Reg. No. 40,900
James P. Cleary, Reg. No. 45,843
Michael Reed, Reg. No. 45,647
Dwight U. Thompson, Reg. No. 53,688
Spencer C. Patterson, Reg. No. 43,849

John Hayden, Reg. No. 37,640
Dorothy Whelan, Reg. 33,814
Linda G. Gunderson, Reg. No. 46,341
Richard J. Anderson, Reg. No. 36,732
Samuel Borodach, Reg. No. 38,388
Kenyon Jenckes, Reg. No. 41,873
William Hunter, Reg. No. 47,671
Jason W. Wolff, Reg. No. 43,281
Joseph Juliano, Reg. No. 54,780
John P. Schnurer, Reg. No. 52,196
John F. Conroy, Reg. No. 45,843
Fred C. Hernandez, Reg. No. 41,832

Direct all telephone calls to FRED C. HERNANDEZ at telephone number (858) 678-5625.

Direct all correspondence to the following:

20985

PTO Customer Number

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: M. SAMY ABDOU

Inventor's Signature: _____

Residence Address: San Diego, California

Citizenship: United States

Post Office Address: 7790 Doug Hill
San Diego, California 92127

Date: _____

5/11/04



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : M. Samy Abdou
Serial No. : 10/825,916
Filed : April 15, 2004
Title : BONE FIXATION SYSTEM AND METHOD OF IMPLANTATION

Art Unit : 3732
Examiner : Unknown

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT RE POWER OF ATTORNEY

Under 37 CFR 1.32(c)(3), please associate the following Patent Practitioners as attorney of record in the above-identified application.

Fred C. Hernandez, Reg. No. 41,832
Dwight U. Thompson, Reg. No. 53,688
John C. Phillips, Reg. No. 35,322
Frank R. Occhiuti, Reg. No. 35,306
John F. Rollins, Reg. No. 38,013
Michael B. Chernoff, Reg. No. 42,408
Wayne P. Sobon, Reg. No. 32,438

A signed Combined Declaration and Power of Attorney for the above-identified application is attached.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

August 27, 2004

Date of Deposit

Signature

Cecilia Tobin

Typed or Printed Name of Person Signing Certificate

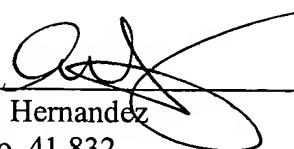
Applicant : M. Samy Abdou
Serial No. : 10/825,916
Filed : April 15, 2004
Page : 2 of 2

Attorney's Docket No.: 17348-002001

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: August 27, 2004



Fred C. Hernandez
Reg. No. 41,832

USTPO CUSTOMER NO.: 20985

Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5625
Facsimile: (858) 678-5099
Email: fhernandez@fr.com